

## II. THE DESIGN REVIEW PROCESS

### DESIGN REVIEW PRINCIPLES

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When reviewing individuals applications, the Commission will be guided by the following design principles, which have been adapted from the *Secretary of the Interior's Standards for the Treatment of Historic Properties*:

- *The historic character of a property should be retained and preserved.* The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property should be avoided.
- *Each property should be recognized as a physical record of its time, place and use.* Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, should be avoided.
- *Changes to a property that have acquired historic significance in their own right should be retained and preserved.*
- *New additions, exterior alterations or related new construction that destroy historic materials, features and spatial relationships that characterize the property should be avoided.* New work should be differentiated from the old and should be compatible with the historic materials, features, size, scale, proportion and massing to protect the integrity of the property and its environment.
- *New additions and adjacent or related new construction which, if removed in the future, would impair the essential form and integrity of the historic property and its environment should be avoided.*

### CHANGES REQUIRING HISTORICAL COMMISSION APPROVAL

Under the By-Laws of the New Bedford Historical Commission and Chapter 40C, the Commission has the authority to review the following in the District:

- Changes of any kind to any exterior portion

of a building that is visible from a public way. A public way is defined as any sidewalk, roadway, right of way, or body of water. This includes removal of any features (i.e. shutters, porches, siding, windows, fences, railings, doors, chimneys, etc).

- Terraces, walks, driveways, sidewalks, and similar structures, provided that any such structure is substantially at grade (street) level.
- Walls and fences.
- Storm doors and windows, screens, window air conditioners, lighting fixtures, satellite dishes, solar panels, water meters, gas meters, and similar appurtenances.
- The color of paint (including windows, doors, porches & storms).
- The color of/and materials used on roofs.
- All signs and banners. Note: Signs must also conform to the City of New Bedford sign ordinance.
- Temporary structures or signs, and similar matters as the Commission may reasonably specify.

If a property owner or tenant wishes to modify a building, structure, or site located within the District, he or she must apply to the New Bedford Historical Commission for review before undertaking the work. No building or structure within the District shall be constructed or altered in any way that affects exterior architectural features unless the Commission has issued a Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship.

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## **CERTIFICATE OF APPROPRIATENESS**

A Certificate of Appropriateness shall be issued when the Commission determines that the construction or alteration for which a Certificate of Appropriateness has been filed will be appropriate or compatible with the preservation or protection of the historic district. A public hearing of the Commission is required.

## **CERTIFICATE OF NON-APPLICABILITY**

A Certificate of Non-Applicability shall be issued without a hearing of the commission if the Staff determines the following:

- for proposed construction or alteration of interior arrangements or exterior architectural features not subject to public view;
- for the ordinary maintenance, repair or replacement of any exterior architectural feature which does not involve a change in design, material, color, or the outward appearance thereof;
- for landscaping with plants, trees, or shrubs;
- for the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition;
- for construction or alterations conforming to such guidelines as may be established by the New Bedford Historical Commission from time to time.

## **CERTIFICATE OF HARDSHIP**

A Certificate of Hardship shall be issued when:

- owing to conditions especially affecting the building or structure involved, but not affecting the historic district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and when approval will not cause substantial

detriment to the public welfare nor cause substantial derogation from the intent and purposes of this chapter;

- when the Commission fails to make a determination on an application within sixty (60) days after the filing of such application.



Renaissance Revival Entry

## PROCEDURE FOR OBTAINING A CERTIFICATE

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The process of applying to the New Bedford Historical Commission for work within the District is a simple one.

### CONSULT WITH NBHC STAFF

The first step is to consult with the staff of the Commission in order to determine which certificate is necessary. The staff is also available to provide technical and design assistance for projects in the District. The Commission is staffed by National Park Service personnel located at 33 William Street, New Bedford, MA 02740, and may be contacted at 508.996.4095 ext.6104.

### FILE AN APPLICATION

An application may be obtained from the Commission staff and it also can be found on the Historical Commission's Web Page at:

<http://www.newbedford-ma.gov/historical-commission/design-guidelines/>

An application may be filed during any working day with the New Bedford Historical Commission. There is a nonrefundable application fee that is collected by the City of New Bedford.

### CERTIFICATE OF APPROPRIATENESS

The process for this certificate is as follows:

- An application may be obtained and filed during any working day with the New Bedford Historical Commission. There is a non-refundable application fee of \$25.00 that is collected by the City Planning Office. Checks should be made payable to the City of New Bedford.
- Within fourteen (14) days after the filing of an application for a Certificate of Appropriateness, the Commission must decide if it has jurisdiction. If so, the Commission must hold a public hearing on the application with a fourteen (14) day notice.

### CERTIFICATE OF NON-APPLICABILITY

The process for this certificate is as follows:

- An application may be obtained and filed during any working day with the New Bedford Historical Commission. There is a non-refundable application fee that is collected by the City Planning Office. Checks should be made payable to the City of New Bedford. An application may be filed during any working day with the New Bedford Historical Commission.

### CERTIFICATE OF HARDSHIP

The process for this certificate is as follows:

- An application may be filed during any working day with the New Bedford Historical Commission. There is no application fee for this certificate.
- Within fourteen (14) days after the filing of an application for a Certificate of Hardship, the Commission must decide if it has jurisdiction. If so, the Commission must hold a public hearing on the application with a fourteen (14) day notice.

### TIME FRAMES FOR APPLICATIONS

In order to allow for required legal notice in the New Bedford Standard-Times and to inform abutters, completed applications, application materials and fees must be submitted to the secretary of the Historical Commission 21 days before the Historical Commission meeting.

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## PERMITTING PROCEDURE



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## APPLICATION MATERIALS FOR COMMISSION MEETINGS

### ADDITIONS, ALTERATIONS AND NEW CONSTRUCTION

- *Site Plan* (if needed) showing property lines, existing buildings and structures, and proposed changes. Plans no larger than 11x17, or digital files in PDF or similar format.
- *Photographs* of the existing structure or site, showing all facades, in color. Streetscape photos showing the structure in relation to neighboring structures are helpful. Close up or detail photographs of specific architectural features to be changed should be included. If available, copies of historical photographs provide additional guidance and aid in sympathetic design.
- *Elevation Drawings and Specifications* of any proposed design(s) and methods of construction of proposed work. Drawings must be drawn to scale (1/8" = 1' minimum), and include details of all proposed changes, i.e. sizes of window openings, siding. Drawings are to be submitted on a paper size no larger than 11" x 17" or digital files in PDF or similar format.
- *A list of materials and samples*, which should include manufacturer's literature, such as window brochures, fencing samples, roofing samples, brick and mortar samples and paint chips.
- All items must be submitted in pdf format at 300 dpi resolution. Files and discs shall be labeled with the project name.

### SIGNS

- *Scaled drawings* for proposed signs; 1/2" = 1' minimum.
- *Photographs* or elevations of building showing exact locations of proposed signs, scaled at 1/8" = 1', or photograph. For all signs, a scaled Photoshop image of a proposed sign in its location on the building maybe required.
- *Samples* or specifications for materials, colors, etc. to be used.
- *Sections* through sign showing details such as moldings, posts, and edge conditions.
- *Details* and specifications for proposed brackets/hangers, colors, installation method, etc.
- *Lighting*: Details and specifications for any proposed light fixtures including fixture color installation method, description of light quality including color, warmth and intensity, etc.

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## **THE HEARING PROCESS**

### **PUBLIC MEETINGS**

The New Bedford Historical Commission meets monthly and their meetings are normally held at the Corson Maritime Learning Center at 33 William Street at 6:00PM. Meeting are open to the public.

### **PUBLIC HEARINGS**

Meetings that require the review of applications for Certificates of Appropriateness are Public Hearings, and are advertised and posted as such. Abutters are notified of public hearings in writing. Applicants or a representative who is familiar with the project and able to negotiate with the Commission should be present at the hearing at which their application is being reviewed.

### **WORK SESSIONS**

Owners contemplating major alterations, additions or new construction are encouraged to meet with the Commission during a Public Meeting prior to submission of an application. This is an opportunity to receive guidance or answer questions before preparing applications and supporting materials.

### **CONTINUED HEARINGS**

The Commission may vote to continue a hearing to gather additional information or materials. The Public Hearing will be continued for a determined length of time. There are no additional fees for this Continued Hearing.

### **ISSUANCE OF A DECISION**

For approved projects, a certificate is issued. It is the applicant's responsibility to find out whether a building permit is needed and to obtain the necessary permits at the Department of Inspectional Services. In the case of a disapproval of an application the Commission shall record the reasons for such determination and shall notify the applicant of its determination and the reasons therefore. If an application is denied, the project cannot

proceed. However if substantial changes are made to the proposal, a new application may be submitted.

## **AFTER COMPLETION OF THE WORK**

After completion of the approved work, an official from the New Bedford Historical Commission will visit the work site to verify compliance with Commission-approved plans.

## **ENFORCEMENT**

Failure to apply for proper Commission approval for work in the District constitutes a violation of Chapter 40C of Massachusetts Law and will be punished to the extent of the law, which specifies significant fines for unapproved work. Applicants who receive Historical Commission approval must follow plans as approved. Failure to follow approved plans may also delay or prevent the issuance of Building Permits or Certificates of Occupancy.

## **FINANCIAL INCENTIVES**

Owners wishing to preserve or rehabilitate a historic property are encouraged to research state and federal historic tax incentive programs. These programs can provide significant costs savings and assure that a project meets the *Secretary of the Interior Standards for the Treatment of Historic Properties*.